

SEP 26 2005

Docket No.: KCC-16,247.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard Norris DODGE II et al.

Serial No.: 10/675,412

Group No.: 3761

Filing Date: 30 September 2003

Examiner:
Michele M. KidwellTitle: ABSORBENT MATERIALS HAVING
IMPROVED FLUID INTAKE AND
LOCK-UP PROPERTIES

Customer No.: 35844

COMMUNICATION

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed 05 July 2005, Applicants submitted a Response to Second Office Action (the "Response") by certificate of facsimile on 20 September 2005. Upon review of the PAIR system, the second page of the three page Response is not included in the image file wrapper.

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Mark D. Swanson

Type or print name of person signing certification



Signature

26 September 2005

Date

KCC-2137-CIP1-DIV

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MDS/T

Serial No.: 10/675,412

Docket No.: KCC-16,247.3

Applicants fax herewith a copy of the Response (3 pages) and a fax confirmation (1 page) showing the Response (3 pages) was faxed to and received by the U.S. Patent and Trademark Office on 20 September 2005.

Applicants request all three pages of the Response be entered and considered.

Respectfully submitted,



Mark D. Swanson
Regis. No. 48,498

Pauley Petersen & Erickson
2800 West Higgins Road, Suite 365
Hoffman Estates, Illinois 60195
(847) 490-1400
FAX (847) 490-1403

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Examiner:
Michele M. Kidwell

RESPONSE TO SECOND OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed 05 July 2005, Applicants respectfully submit the following remarks.

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Mark D. Swanson

Type or print name of person signing certification


Signature20 Sept 2005
Date

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Double Patenting Rejection

Claims 1-54 have been provisionally rejected under the judicially created doctrine of double patenting over Claims 36-68 of U.S. Patent Application Serial No. 10/291,187.

This provisional double patenting rejection is the only rejection for this Patent Application. According to MPEP 804(I)(B):

If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should withdraw that rejection and permit the application to issue as a patent ...

U.S. Patent Application Serial No. 10/291,187 is still pending and has not yet been allowed. Pursuant to MPEP 804(I)(B), this provisional double patenting rejection should be withdrawn.

Conclusion

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not addressed in this response, Applicants' undersigned attorney requests a telephone interview with the Examiner.

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Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



Mark D. Swanson
Regis. No. 48,498

Pauley Petersen & Erickson
2800 West Higgins Road, Suite 365
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-PAULEY PETERSEN ET AL -

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Examiner:
Michele M. Kidwell

RESPONSE TO SECOND OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed 03 July 2005, Applicants
respectfully submit the following remarks.

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and
Trademark Office on the date shown below.

Mark D. Swenson

Type or print name of person signing certification

[Signature] 20 Sept 2005
Signature Date

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